



General Assembly

January Session, 2007

Raised Bill No. 1400

LCO No. 5135

05135_____TRA

Referred to Committee on Transportation

Introduced by:
(TRA)

***AN ACT CONCERNING THE ADMINISTRATION OF THE
DEPARTMENT OF MOTOR VEHICLES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (13) of subsection (a) of section 14-1 of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (13) "Commercial motor vehicle" means a vehicle designed or used
5 to transport passengers or property, except a vehicle used for farming
6 purposes in accordance with 49 CFR 383.3(d), fire fighting apparatus
7 or an emergency vehicle, as defined in section 14-283, or a recreational
8 vehicle in private use, which (A) has a gross vehicle weight rating of
9 twenty-six thousand and one pounds or more, or a gross combination
10 weight rating of twenty-six thousand and one pounds or more,
11 inclusive of a towed unit or units with a gross vehicle weight rating of
12 more than ten thousand pounds; (B) is designed to transport sixteen or
13 more passengers, including the driver, or is designed to transport more
14 than ten passengers, including the driver, and is used to transport
15 students under the age of twenty-one years to and from school; or (C)
16 is transporting hazardous materials and is required to be placarded in

17 accordance with 49 CFR 172, Subpart F, as amended, or any quantity of
18 a material listed as a select agent or toxin in 42 CFR Part 73.

19 Sec. 2. Subdivision (24) of subsection (a) of section 14-1 of the
20 general statutes is repealed and the following is substituted in lieu
21 thereof (*Effective from passage*):

22 (24) "Employee" means any operator of a commercial motor vehicle,
23 including full-time, regularly employed drivers, casual, intermittent or
24 occasional drivers, drivers under contract and independent [.] owner-
25 operator contractors, who, while in the course of operating a
26 commercial motor vehicle, are either directly employed by, or are
27 under contract to, an employer.

28 Sec. 3. Subdivision (50) of subsection (a) of section 14-1 of the
29 general statutes is repealed and the following is substituted in lieu
30 thereof (*Effective from passage*):

31 (50) "Motor vehicle" means any vehicle propelled or drawn by any
32 nonmuscular power, except aircraft, motor boats, road rollers, baggage
33 trucks used about railroad stations or other mass transit facilities,
34 electric battery-operated wheel chairs when operated by physically
35 handicapped persons at speeds not exceeding fifteen miles per hour,
36 golf carts operated on highways solely for the purpose of crossing
37 from one part of the golf course to another, golf-cart-type vehicles
38 operated on roads or highways on the grounds of state institutions by
39 state employees, agricultural tractors, farm implements, such vehicles
40 as run only on rails or tracks, self-propelled snow plows, snow blowers
41 and lawn mowers, when used for the purposes for which they were
42 designed and operated at speeds not exceeding four miles per hour,
43 whether or not the operator rides on or walks behind such equipment,
44 bicycles with helper motors as defined in section 14-286, special mobile
45 equipment as defined in subsection (i) of section 14-165, [mini-
46 motorcycle] mini-motorcycles, as defined in section 14-289j, and any
47 other vehicle not suitable for operation on a highway.

48 Sec. 4. Subsection (c) of section 14-44 of the general statutes is
49 repealed and the following is substituted in lieu thereof (*Effective from*
50 *passage*):

51 (c) The commissioner may issue, withhold, renew, suspend, cancel
52 or revoke [] any endorsement required to operate a motor vehicle that
53 transports passengers, as provided in subsection (c) of section 14-36a.
54 The commissioner may, in making his decision, consider the age,
55 accident and criminal record, moral character and physical condition
56 of any such applicant or endorsement holder and such other matters as
57 the commissioner may determine. The commissioner may require any
58 such applicant or endorsement holder to furnish the statements of two
59 or more reputable citizens, which may be required to be under oath,
60 vouching for the good character or other qualifications of the applicant
61 or endorsement holder.

62 Sec. 5. Subsection (a) of section 14-65i of the general statutes is
63 repealed and the following is substituted in lieu thereof (*Effective from*
64 *passage*):

65 (a) Each motor vehicle repair shop shall prominently display a sign
66 [24] twenty-four inches by [36] thirty-six inches in each area of its
67 premises where work orders are placed by customers. The sign, which
68 shall be in boldface type, shall read as follows:

69 THIS ESTABLISHMENT IS LICENSED WITH THE

70 STATE DEPARTMENT OF MOTOR VEHICLES.

71 EACH CUSTOMER IS ENTITLED TO...

72

73 1. A WRITTEN ESTIMATE FOR REPAIR WORK.

74 2. A DETAILED INVOICE OF WORK DONE AND PARTS SUPPLIED.

75 3. RETURN OF REPLACED PARTS, PROVIDED THE REQUEST IS
76 MADE AT THE TIME WRITTEN OR ORAL AUTHORIZATION IS
77 PROVIDED FOR WORK TO BE PERFORMED.

78 _____

79 NO REPAIR WORK MAY BE UNDERTAKEN ON A VEHICLE
80 WITHOUT THE AUTHORIZATION OF THE CUSTOMER.

81 NO CHARGES FOR REPAIR MAY BE MADE IN EXCESS OF THE
82 WRITTEN ESTIMATE WITHOUT THE WRITTEN OR ORAL
83 CONSENT OF THE CUSTOMER.

84 _____

85 QUESTIONS CONCERNING THE ABOVE SHOULD BE DIRECTED
86 TO THE MANAGER OF THIS REPAIR FACILITY.

87 UNRESOLVED QUESTIONS REGARDING SERVICE WORK MAY BE
88 SUBMITTED TO:

89 _____

90 DEPARTMENT OF MOTOR VEHICLES

91 DEALER REPAIR DIVISION

92 60 STATE STREET, WETHERSFIELD, CONNECTICUT

93 TELEPHONE:

94 HOURS OF OPERATION:

95 Sec. 6. Subsection (f) of section 14-289j of the general statutes is
96 repealed and the following is substituted in lieu thereof (*Effective from*
97 *passage*):

98 (f) No person may offer a mini-motorcycle for sale, lease or rent [a
99 mini-motorcycle] unless such mini-motorcycle has a warning label that
100 gives warning information about the safe and legal use of a mini-
101 motorcycle and about the limitations on use and the possible
102 consequences of use in violation of such limitations, set forth in
103 subsections (b) to (e), inclusive, of this section. Such person, on sale,
104 lease or rent of a mini-motorcycle, shall give a written clear and
105 conspicuous statement, separate from the warning label, to the
106 purchaser, lessee or renter of such mini-motorcycle containing such
107 warning information. Advertisements for mini-motorcycles and oral
108 communications of a person offering a mini-motorcycle for sale, lease
109 or rent [a mini-motorcycle] shall not contain information inconsistent
110 with any information required in this section. Until regulations
111 required in subsection (g) of this section are adopted, persons offering
112 a mini-motorcycle for sale, lease or rent [of a mini-motorcycle] shall
113 display such warning information, advertise and make oral
114 communications in a manner consistent with the provisions of this
115 section. The provisions of this subsection do not apply to any person
116 selling fewer than five used mini-motorcycles in one calendar year,
117 provided any person claiming inapplicability of the provisions of this
118 subsection shall have the burden of proving such inapplicability.

119 Sec. 7. Subsection (e) of section 14-10 of the general statutes is
120 repealed and the following is substituted thereof (*Effective October 1,*
121 *2007*):

122 (e) In the event (1) a federal court judge, federal court magistrate or
123 judge of the Superior Court, Appellate Court or Supreme Court of the
124 state, (2) a member of a municipal police department or a member of
125 the Division of State Police within the Department of Public Safety, (3)
126 an employee of the Department of Correction, (4) an attorney-at-law
127 who represents or has represented the state in a criminal prosecution,
128 [or] (5) a member or employee of the Board of Pardons and Paroles, (6)
129 a state or federal probation officer, or (7) other state law enforcement
130 officer, as recognized by the commissioner submits a written request
131 and furnishes such individual's business address to the commissioner,
132 such business address only shall be disclosed or available for public
133 inspection to the extent authorized by this section.

134 Sec. 8. Subsection (a) of section 14-36g of the general statutes is
135 repealed and the following is substituted in lieu thereof (*Effective*
136 *October 1, 2007*):

137 (a) Each person who holds a motor vehicle operator's license and
138 who is sixteen or seventeen years of age shall comply with the
139 following requirements:

140 (1) Except as provided in subsection (b) of this section, for the
141 period of three months after the date of issuance of such license, such
142 person shall not transport more than (A) such person's parents or legal
143 guardian, at least one of whom holds a motor vehicle operator's
144 license, or (B) one passenger who is a driving instructor licensed by the
145 Department of Motor Vehicles, or a person twenty years of age or
146 older who has been licensed to operate, for at least four years
147 preceding the time of being transported, a motor vehicle of the same
148 class as the motor vehicle being operated and who has not had his or
149 her motor vehicle operator's license suspended by the commissioner
150 during such four-year period;

151 (2) Except as provided in subsection (b) of this section, for the
152 period beginning three months after the date of issuance of such
153 license and ending six months after the date of issuance of such license,
154 such person shall not transport any passenger other than as permitted
155 under subdivision (1) of this subsection and any additional member or
156 members of such person's immediate family;

157 (3) No such person shall operate any motor vehicle for which a
158 public passenger transportation permit is required in accordance with
159 the provisions of section 14-44, as amended by this act, or a vanpool
160 vehicle, as defined in section 14-1, as amended by this act;

161 (4) No such person shall transport more passengers in a motor
162 vehicle than the number of seat safety belts permanently installed in
163 such motor vehicle;

164 (5) [For a period of six months after the date of issuance of such
165 license, no] No such person issued a motorcycle endorsement shall
166 transport any passenger on a motorcycle for a period of six months
167 after the date of issuance; and

168 (6) Except as provided in subsection (b) of this section, no such
169 person shall operate a motor vehicle on any highway, as defined in
170 section 14-1, as amended by this act, at or after midnight until and
171 including 5:00 a.m. of the same day unless (A) such person is traveling
172 for his or her employment or school or religious activities, (B) there is a
173 medical necessity for such travel, or (C) such person is an assigned
174 driver in a Safe Ride program sponsored by the American Red Cross,
175 the Boy Scouts of America or other national public service
176 organization.

177 Sec. 9. Section 14-289a of the general statutes is repealed and the
178 following is substituted in lieu thereof (*Effective October 1, 2007*):

179 A person operating a motorcycle shall ride only upon the
180 permanent and regular seat attached thereto, and such operator shall

181 not carry any other person nor shall any other person ride on a
 182 motorcycle unless such motorcycle is properly equipped to carry more
 183 than one person, in which event a passenger may ride upon the
 184 permanent and regular seat if designed for two persons, or upon
 185 another seat firmly attached to the rear or side of the operator. No
 186 operator of a motorcycle who has not held [a license] an endorsement
 187 to operate a motorcycle for a period of three months shall carry any
 188 other person on such motorcycle, except that any sixteen or seventeen-
 189 year old shall not transport any passenger on a motorcycle for a period
 190 of six months after obtaining such endorsement. Violation of any
 191 provision of this section shall be an infraction.

192 Sec. 10. Subsection (b) of section 14-44e of the general statutes is
 193 repealed and the following is substituted in lieu thereof (*Effective*
 194 *October 1, 2007*):

195 (b) The commissioner shall not issue a commercial driver's license or
 196 a commercial driver's instruction permit to any person who has a
 197 physical or psychobehavioral impairment that affects such person's
 198 ability to operate a commercial motor vehicle safely. In determining
 199 whether to issue a commercial driver's license in any individual case,
 200 the commissioner shall apply the standards set forth in 49 CFR 391.41,
 201 as amended. [, unless it is established that the person will operate such
 202 vehicle only in this state, in which case the commissioner shall apply
 203 the standards set forth in this chapter and in regulations adopted
 204 thereunder.] Any person who is denied a commercial driver's license
 205 or a commercial driver's permit, or whose license or permit is
 206 suspended, revoked or cancelled pursuant to this subsection shall be
 207 granted an opportunity for a hearing in accordance with the provisions
 208 of chapter 54.

209 Sec. 11. Subsection (b) of section 14-50 of the general statutes is
 210 repealed and the following is substituted in lieu thereof (*Effective*
 211 *October 1, 2007*):

212 (b) There shall be charged for each examination of an operator of a

213 motor vehicle a fee of forty dollars. [There] The fee may be charged
 214 [for each] at the time of advance appointment for an operator's license
 215 examination [a fee of fifteen dollars] which fee shall be paid to the
 216 commissioner at least six business days prior to the date of the
 217 appointment. [and shall be applied toward the examination fee if the
 218 applicant keeps the appointment.] If the applicant fails to keep the
 219 appointment, the [appointment] fee shall be forfeited, unless [(1)] in
 220 the judgment of the commissioner, the applicant's failure to keep the
 221 appointment was due to exigent circumstances. [, or (2) the applicant
 222 reschedules the appointment.]

223 Sec. 12. Section 14-103a of the general statutes is repealed and the
 224 following is substituted in lieu thereof (*Effective October 1, 2007*):

225 Any motor vehicle, that has been reconstructed, or is composed or
 226 assembled from the several parts of other motor vehicles, or the
 227 identification and body contours of which are so altered that the
 228 vehicle no longer bears the characteristics of any specific make of
 229 motor vehicle, or declared a total loss by any insurance carrier and
 230 subsequently [rebuilt,] reconstructed shall be inspected by the
 231 commissioner to determine whether the vehicle is properly equipped,
 232 in good mechanical condition and in the possession of its lawful
 233 owner. Such vehicle shall be presented for inspection at any
 234 Department of Motor vehicles office or any official emissions
 235 inspection station authorized by the Commissioner of Motor Vehicles
 236 to conduct such inspection. The commissioner may require any person
 237 presenting any such reassembled, altered or [rebuilt] reconstructed
 238 vehicle for inspection to provide proof of lawful purchase of any major
 239 component parts not part of the vehicle when first sold by the
 240 manufacturer. The fee for such inspection shall be eighty-eight dollars.
 241 The inspection fee shall be in addition to regular registration fees. All
 242 moneys received from the fee imposed pursuant to this section and
 243 collected at an official emissions inspection station shall be deposited
 244 in a separate safety inspection account within the Emissions Inspection
 245 Fund. As used in this section, "reconstructed" refers to every motor

246 vehicle materially altered from its original construction by the
247 removal, addition or substitution of essential parts, new or used.

248 Sec. 13. Section 14-163d of the general statutes is repealed and the
249 following is substituted in lieu thereof (*Effective October 1, 2007*):

250 (a) At least once every six months, each owner of a motor vehicle
251 described in subsection (a) of section 14-163c shall file with the
252 Commissioner of Motor Vehicles evidence that the owner has in effect
253 the security requirements imposed by law for each such motor vehicle.
254 The evidence shall be filed in such form as the commissioner
255 prescribes in accordance with a schedule established by the
256 commissioner. At least once every two years, the evidence of security
257 shall be accompanied by a motor carrier identification report that
258 meets the requirements of 49 CFR 390.19, as amended from time to
259 time. The report shall be in such form as the commissioner prescribes.

260 (b) In addition to other penalties provided by law, the
261 Commissioner of Motor Vehicles, after notice and opportunity for
262 hearing in accordance with chapter 54, shall suspend the registration
263 of each motor vehicle registered in the name of any owner who fails to
264 file a motor carrier identification report or to provide satisfactory
265 evidence of the security requirements imposed by law.

266 (c) Each filing made in accordance with the provisions of subsection
267 (a) of this section by each for-hire motor carrier or private motor
268 carrier of property or passengers, and each owner of any motor vehicle
269 that transports hazardous materials, as described in subsection (a) of
270 section 14-163c shall provide satisfactory evidence of insurance
271 coverage or other security in amounts not less than are required by the
272 provisions of Title 49, Part 387 of the Code of Federal Regulations, as
273 amended. Such requirement concerning the amount of security that
274 must be evidenced to the commissioner may be made applicable by the
275 commissioner to the initial registration of any such motor vehicle,
276 including the registration of any motor vehicle under the International
277 Registration Plan, in accordance with the provisions of section 14-34a.

278 Sec. 14. Section 14-261a of the general statutes is repealed and the
279 following is substituted in lieu thereof (*Effective October 1, 2007*):

280 (a) A commercial vehicle combination may be operated [,] by any
281 person who holds [(1)] an endorsed commercial driver's license [, (2)]
282 or a CDL equivalent license [, (3) an endorsed class 1 license, or (4) an
283 operator's license issued by another state authorizing such person to
284 operate a commercial vehicle combination, together with an
285 endorsement issued by the Commissioner of Motor Vehicles in
286 accordance with the provisions of subsection (b) of this section,] on
287 highways which are part of the National System of Interstate and
288 Defense Highways and those sections of the Federal-Aid Primary
289 System which are divided highways with four or more lanes and full
290 control of access, which highways and sections are designated by the
291 Secretary of the federal Department of Transportation pursuant to the
292 Surface Transportation Assistance Act of 1982, as amended, provided
293 the Commissioner of Transportation shall impose reasonable
294 restrictions consistent with federal law. The Commissioner of
295 Transportation may permit the operation of a commercial vehicle
296 combination, defined as "specialized equipment" in the Code of
297 Federal Regulations Title 23, Part 658, as amended, by any person
298 holding a license to operate a commercial vehicle combination as
299 provided in this section and semitrailers, as described in subsection (c)
300 of section 14-262, on any other highway in order to allow the vehicle
301 reasonable access to terminals, facilities for food, fuel, repairs and rest,
302 and points of loading and unloading for household goods carriers. If a
303 commercial vehicle combination consists of two semitrailers or a trailer
304 drawing a semitrailer, such trailers shall be coupled by a converter
305 dolly or a type of dolly approved by the Commissioner of Motor
306 Vehicles.

307 [(b) The Commissioner of Motor Vehicles shall establish an
308 endorsement for persons who are eligible to operate a commercial
309 vehicle combination but do not hold an endorsed commercial driver's
310 license, a CDL equivalent license, or a class 1 license. To obtain such

311 endorsement, the operator shall demonstrate personally to the
312 commissioner, his deputy, a motor vehicle inspector or an agent of the
313 commissioner that he (1) has held a license issued by another state for
314 at least three years which permits him to operate a commercial vehicle
315 combination, (2) has a level of motor vehicle operating experience
316 satisfactory to the commissioner, including but not limited to, passing
317 a commercial vehicle combination driving test conducted by the
318 commissioner, and (3) has not violated any of the provisions of section
319 14-219, 14-222 or 14-224 or subsection (a) of section 14-227a, or any
320 similar provisions of the laws of any other state or any territory, within
321 a three-year period, or been convicted of, or forfeited any bond taken
322 for appearance for, or had his case nolledd upon payment of any sum of
323 money in connection with, or received a suspended judgment or
324 sentence for, a violation of any of said provisions within a three-year
325 period, or a second violation within a twelve-month period of the
326 provisions of sections 14-230 to 14-249, inclusive, or of any similar
327 provisions of the laws of any other state or any territory, or been held
328 or found criminally responsible in connection with any motor vehicle
329 accident resulting in the death of any person, provided the
330 commissioner may waive the requirement of a driving test under
331 subdivision (2) of this subsection for any applicant for an endorsement
332 who demonstrates to the commissioner that he has had at least three
333 years experience in operating commercial vehicle combinations or that
334 he held a valid class 1A license on June 1, 1989. Each person holding a
335 valid class 1A license on June 1, 1989, shall, not later than December 31,
336 1989, surrender such license to the commissioner who shall thereupon
337 issue an endorsement to such person.

338 (c) (1) The Commissioner of Motor Vehicles shall establish a
339 commercial vehicle combination safety inspection program under
340 which each commercial vehicle combination subject to safety
341 inspection shall be examined or tested with respect to the operation,
342 condition or performance of its brakes, tires, wheels, mirrors, operating
343 controls, glazing, lighting devices, suspension, steering, exhaust
344 system and electrical system. After the initial inspection of each

345 commercial vehicle combination, the commissioner shall provide for a
346 system of staggered annual inspections for such vehicles.

347 (2) On and after July 14, 1984, no commercial vehicle combination
348 shall be operated in the state unless it displays a currently valid
349 certificate of inspection issued under this section or an equivalent
350 certificate issued by another state, provided (A) any vehicle which is
351 subject to registration and inspection in the state and which has been
352 outside the state continuously for thirty days or more and which, at the
353 time of reentering the state, does not bear a currently valid certificate
354 of inspection may be operated in the state for a period of ten days after
355 reentering the state, (B) any vehicle may be operated in the state for a
356 period of ten days after its sale or resale, and (C) the Commissioner of
357 Motor Vehicles may allow commercial combination vehicles to operate
358 while displaying a certificate of inspection on the tractor portion of
359 such vehicle only, provided the person, firm, corporation or
360 association which operates such vehicle has established a preventive
361 maintenance program approved by the commissioner.

362 (d) The Commissioner of Motor Vehicles shall adopt regulations in
363 accordance with the provisions of chapter 54 to carry out the purposes
364 of this section.]

365 [(e)] (b) Any person operating a commercial vehicle combination or
366 a semitrailer, as described in subsection (c) of section 14-262, in
367 violation of any provision of subsection (a) [, (b) or (c)] of this section
368 [or any regulation adopted thereunder] shall be fined one thousand
369 dollars for each offense. The Commissioner of Motor Vehicles shall
370 also suspend, for sixty days, the motor vehicle registration certificate,
371 privilege to operate or operator's license of any such person.

372 Sec. 15. (NEW) (*Effective October 1, 2007*) The Department of Motor
373 Vehicles shall require each applicant for a position of employment
374 with the department (1) to state whether the applicant has ever been
375 convicted of a crime, to state whether criminal charges are pending
376 against the applicant at the time of the application and, if so, to

377 identify the charges and court in which they are pending, and (2) if
378 offered employment with the department, to be fingerprinted and to
379 submit to state and national criminal history records checks. The
380 criminal history records checks required by this section shall be in
381 accordance with section 29-17a of the general statutes.

382 Sec. 16. Section 15-148 of the general statutes is repealed and the
383 following is substituted in lieu thereof (*Effective October 1, 2007*):

384 If a valid certificate of number or registration is lost, mutilated or
385 destroyed, the owner shall notify the Commissioner of Motor Vehicles
386 in writing within fifteen days. The owner may obtain a duplicate
387 certificate upon application to the Commissioner of Motor Vehicles
388 and upon payment of a fee of [one dollar] twenty dollars.

389 Sec. 17. Section 14-12h of the general statutes is repealed and the
390 following is substituted in lieu thereof (*Effective October 1, 2007*):

391 (a) The Commissioner of Motor Vehicles shall compile and maintain
392 a record of all registrations suspended in accordance with the
393 provisions of sections 14-12c and 14-12g. The commissioner shall
394 update the information contained in such record not less than once per
395 week and shall make available to all law enforcement agencies in this
396 state a list of all registration number plates for vehicles whose
397 registration has been suspended. Such list shall contain the number
398 plate numbers, letters or number and letter combinations and the
399 address at which the vehicle was registered. The commissioner may
400 make available the entire list or a portion thereof and may utilize one
401 or more formats for presenting the information contained therein to
402 facilitate its use.

403 (b) (1) If any police officer observes a motor vehicle being operated
404 upon the public highway, and such motor vehicle is displaying
405 registration number plates identified as suspended on the list made
406 available by the commissioner, such police officer may (A) stop or
407 detain such vehicle and its occupants, (B) issue to the operator a

408 complaint for operating an unregistered motor vehicle, or expired
409 registration if the vehicle is not being operated, in violation of section
410 14-12, and (C) remove the registration number plates from the vehicle
411 and return them to any branch office of the Department of Motor
412 Vehicles. If any police officer, motor vehicle inspector or constable
413 observes a motor vehicle parked in any parking area, as defined in
414 section 14-212, as amended by this act, and such motor vehicle is
415 displaying registration number plates identified as suspended on the
416 list made available by the commissioner, such police officer, motor
417 vehicle inspector or constable is authorized to remove the registration
418 number plates from the vehicle and to return them to any branch office
419 of the Department of Motor Vehicles. If a number plate is identified as
420 suspended on the list provided by the commissioner and such
421 identification is in error, the state shall indemnify any police officer,
422 motor vehicle inspector or constable for any claim for damages made
423 against that individual as a result of such individual's good faith
424 reliance on the accuracy of the list provided by the commissioner
425 regarding the confiscation of number plates.

426 (2) If any police officer observes a motor vehicle being operated
427 upon the public highway or parked in any parking area, as defined in
428 section 14-212, as amended by this act, displaying registration number
429 plates identified on the list made available by the commissioner as
430 being suspended, such police officer may seize and impound the
431 vehicle. If a police officer seizes and impounds a vehicle pursuant to
432 this subdivision, such officer shall give notice to the commissioner in
433 such form as the commissioner may require. The police officer shall
434 give such notice not later than three days after seizing and
435 impounding the vehicle.

436 [(c) If the number plates of a vehicle, the registration of which was
437 suspended, have been confiscated, the owner of such motor vehicle
438 shall pay a confiscation fee of fifty dollars. Such confiscation fee shall
439 be collected from the owner of the motor vehicle and remitted by the
440 commissioner to the constable who confiscated the number plates or, if

441 the plates were confiscated by a police officer, such confiscation fee
442 shall be remitted to the governmental entity which employed such
443 officer at the time of the confiscation and shall be deposited in the asset
444 forfeiture fund. In the event there is no such fund, such confiscation fee
445 shall be deposited in the general fund of such entity.]

446 [(d)] (c) The owner of any motor vehicle which has been impounded
447 in accordance with the provisions of subdivision (2) of subsection (b)
448 of this section [shall not be eligible to regain possession of the vehicle
449 until he complies with the requirements of subsection (c) of this
450 section. Any such motor vehicle which is impounded for more than
451 forty-five days shall be subject to forfeiture to the state] that is not
452 reclaimed for more than forty-five days shall be subject to forfeiture to
453 the state.

454 Sec. 18. Section 14-44i of the general statutes is repealed and the
455 following is substituted in lieu thereof (*Effective October 1, 2007*):

456 (a) There shall be charged a fee of sixty dollars for each renewal of a
457 commercial driver's license.

458 (b) There shall be charged for each commercial driver's license
459 knowledge test a fee of sixteen dollars. There shall be charged for each
460 commercial driver's license skills test a fee of thirty dollars. There shall
461 be charged for each commercial driver's license learner's permit a fee
462 of ten dollars.

463 (c) There shall be charged, in addition to the fee provided in
464 subsection (b) of this section for the commercial driver's license
465 knowledge test, a fee of five dollars for each test for an endorsement to
466 a commercial driver's license. There shall be charged, in addition to the
467 fee provided in subsection (b) for such knowledge test, a fee of five
468 dollars for each test for the removal of a restriction to a commercial
469 driver's license relating to air brakes. There shall be charged, in
470 addition to the fee provided in subsection (b) for such knowledge test,
471 a fee of five dollars for each combination vehicle knowledge test.

472 [(d) The Commissioner of Motor Vehicles shall waive the fees
473 provided in subsection (b) of this section in the case of any person who
474 applies for a license with a "Z" restriction.]

475 Sec. 19. Section 22a-201 of the general statutes is repealed and the
476 following is substituted in lieu thereof (*Effective October 1, 2007*):

477 As used in sections 22a-201a to 22a-201c, inclusive:

478 (1) "Motor vehicle" means motor vehicle, as defined in section 14-1,
479 except that for purposes of this section, motor vehicle is limited to
480 vehicles with gross vehicle weight rating, as defined in section 14-1, of
481 ten thousand pounds or less, and does not include any motorcycle; and

482 (2) "Greenhouse gas" means greenhouse gas, as defined in section
483 22a-200.

484 Sec. 20. (NEW) (*Effective October 1, 2007*) As used in section 21 of this
485 act, the term "full legal name" means the most complete version of the
486 name that appears on a person's certificate of birth, official passport or
487 other document or documents accepted by the Commissioner of Motor
488 Vehicles to verify the person's identity, unless the person presents a
489 marriage license or certificate, a certificate of civil union, a divorce
490 decree or an order of a court of competent jurisdiction pertaining to a
491 permanent change of the person's name.

492 Sec. 21. (NEW) (*Effective October 1, 2007*) (a) Each motor vehicle
493 operator's license issued by the Commissioner of Motor Vehicles in
494 accordance with section 14-36 of the general statutes and each identity
495 card issued by said commissioner in accordance with section 1-1h of
496 the general statutes shall contain the following: (1) The person's full
497 legal name, as defined in section 20 of this act; (2) the person's date of
498 birth; (3) the person's gender; (4) the person's height and eye color; (5)
499 the person's assigned operator's license or identity card number; (6) the
500 person's address of principle residence in this state; (7) the person's
501 signature; and (8) the person's color photograph or digital image.

502 (b) The commissioner shall provide that each such license or
503 identity card document contains physical security features designed to
504 prevent tampering, counterfeiting or duplication of the document.

505 (c) Each such document shall also contain one or more machine-
506 readable technology feature or component, including, but not limited
507 to, a bar code or magnetic strip.

508 Sec. 22. Section 14-36d of the general statutes is repealed and the
509 following is substituted in lieu thereof (*Effective October 1, 2007*):

510 (a) [Except as provided in subsections (b) and (c) of this section and
511 subject to the provisions of section 14-41, the commissioner shall issue
512 a motor vehicle operator's license containing a picture of the licensee.
513 The license shall be of such form and content as the commissioner may
514 prescribe and shall be signed by the licensee.] The commissioner may
515 acquire, by lease or purchase, and install at offices of the Department
516 of Motor Vehicles and at such other locations where operator's licenses
517 are issued or renewed, such equipment as may be necessary to carry
518 out the provisions of this [section] chapter.

519 [(b) The Commissioner of Motor Vehicles shall, upon the first
520 issuance of a motor vehicle operator's license to any person less than
521 twenty-one years of age, issue a license containing a picture of the
522 licensee. Such license shall indicate the date of such person's twenty-
523 first birthday, be of such form and content as the commissioner may
524 prescribe and be signed by the licensee.]

525 [(c)] (b) The commissioner may [issue a temporary license without a
526 picture of the licensee to out-of-state applicants, to members of the
527 armed forces and in such other situations as the commissioner finds
528 necessary, provided a temporary license shall be valid only until the
529 applicant has had time to appear and to have his picture taken and a
530 license containing his picture issued] provide for the renewal of any
531 motor vehicle operator's license, commercial driver's license or identity
532 card without personal appearance of the license holder, in

533 circumstances where the holder is a member of the armed forces, is
534 temporarily residing outside of this state for business or educational
535 purposes, or in other circumstances where, in the judgment of the
536 commissioner, such personal appearance would be impractical or pose
537 a significant hardship. The commissioner shall decline to issue any
538 such renewal without personal appearance if the commissioner is not
539 satisfied as to the reasons why the applicant cannot personally appear,
540 if the commissioner does not have the applicant's color photograph or
541 digital image on file, if satisfactory evidence of the identity of the
542 applicant has not been presented, or if the commissioner has reason to
543 believe that the applicant is no longer a legal resident of this state.

544 (c) The commissioner may adopt regulations to provide for the
545 renewal of the motor vehicle operator's license, commercial driver's
546 license or identity card of any person not identified in subsection (b) of
547 this section by mail or by electronic communication with the
548 Department of Motor Vehicles.

549 Sec. 23. Section 14-44 of the general statutes is repealed and the
550 following is substituted in lieu thereof (*Effective July 1, 2007*):

551 (a) (1) No person shall operate a commercial motor vehicle used for
552 passenger transportation on any public highway of this state until he
553 has obtained a commercial driver's license with a passenger
554 endorsement from the commissioner, except a nonresident who holds
555 such license with such endorsement issued by another state. (2) No
556 person shall operate a school bus until he has obtained a commercial
557 driver's license with a school bus endorsement, except that a person
558 who holds such a license without such endorsements may operate a
559 school bus without passengers for the purpose of road testing or
560 moving the vehicle. (3) No person shall operate a student
561 transportation vehicle, as defined in section 14-212, as amended by this
562 act, activity vehicle, [camp vehicle,] taxicab, motor vehicle in livery
563 service, motor bus or service bus until he has obtained an operator's
564 license bearing an endorsement of the appropriate type from the

565 commissioner issued in accordance with the provisions of this section
566 and section 14-36a.

567 (b) No operator's license bearing an endorsement shall be issued or
568 renewed in accordance with the provisions of this section or section 14-
569 36a, until the commissioner, or his authorized representative, is
570 satisfied that the applicant is a proper person to receive such an
571 operator's license bearing an endorsement, holds a valid motor vehicle
572 operator's license, or, if necessary for the class of vehicle operated, a
573 commercial driver's license and is at least eighteen years of age. Each
574 applicant for such a permit, an operator's license bearing an
575 endorsement or the renewal of such a license shall furnish the
576 commissioner, or his authorized representative, with satisfactory
577 evidence, which may be required to be under oath, [to prove that he
578 has no] regarding such applicant's criminal record, that [he] such
579 applicant has not been convicted of a violation of subsection (a) of
580 section 14-227a, as amended by this act, within five years of the date of
581 application and that no reason exists for a refusal to grant or renew
582 such an operator's license bearing an endorsement. Each applicant for
583 such an operator's license bearing an endorsement shall submit with
584 his application proof satisfactory to the commissioner that he has
585 passed a physical examination which has been taken within ninety
586 days prior to his application, and which is in compliance with safety
587 regulations established from time to time by the United States
588 Department of Transportation. Each applicant for renewal of such
589 license shall present evidence that such applicant is in compliance with
590 the medical qualifications established in 49 CFR 391, as amended. Each
591 applicant for such an operator's license bearing an endorsement shall
592 be fingerprinted before the license bearing an endorsement is issued.

593 (c) The commissioner may issue, withhold, renew, suspend, cancel
594 or revoke, any endorsement required to operate a motor vehicle that
595 transports passengers, as provided in subsection (c) of section 14-36a.
596 The commissioner may, in making his decision, consider the [age,
597 accident and] criminal record of the applicant or license holder,

598 including, but not limited to, the information provided in accordance
 599 with the provisions of subsections (d) and (e) of this section. In
 600 addition, the age, accident record, moral character and physical
 601 condition of any such applicant or endorsement holder and such other
 602 matters as the commissioner may determine. The commissioner may
 603 require any such applicant or endorsement holder to furnish the
 604 statements of two or more reputable citizens, which may be required
 605 to be under oath, vouching for the good character or other
 606 qualifications of the applicant or endorsement holder.

607 (d) Upon the arrest of any person who holds an operator's license
 608 bearing a school endorsement charged with a felony or violation of
 609 section 53a-73a, the arresting officer or department, within forty-eight
 610 hours, shall cause a report of such arrest to be made to the
 611 commissioner. The report shall be made on a form approved by the
 612 commissioner containing such information as the commissioner
 613 prescribes. The commissioner may adopt regulations, in accordance
 614 with chapter 54, to implement the provisions of this subsection.

615 (e) Prior to issuing an operator's license bearing a school
 616 endorsement, the commissioner shall require each applicant to submit
 617 to state and national criminal history records checks. The criminal
 618 history records checks required pursuant to this subsection shall be
 619 conducted in accordance with section 29-17a. If notice of a state or
 620 national criminal history record is received, the commissioner may,
 621 subject to the provisions of section 46a-80, refuse to issue an operator's
 622 license bearing such endorsement and, in such case, shall immediately
 623 notify the applicant, in writing, of such refusal. [Subject to the
 624 provisions of section 46a-80, if notice of a national criminal history
 625 record is received, the commissioner may withdraw the operator's
 626 license bearing a school endorsement immediately and, in such case,
 627 shall immediately notify the holder of such license and the holder's
 628 employer, in writing, of such withdrawal.]

629 (f) Notwithstanding any other provision of this section, the

630 commissioner shall not issue an endorsement to transport school
631 children and shall suspend any such endorsement that has been
632 issued, to any person who has been convicted of a violation specified
633 in section 10-145i, or convicted of any provision of federal law, or of
634 the law of any other state, the violation of which involves conduct that
635 is substantially similar to a violation specified in section 10-145i, if any
636 part of the sentence of such conviction has not been completed, or has
637 been completed during the past five years.

638 ~~[(f)]~~ (g) Any applicant who is refused an operator's license bearing
639 an endorsement or the renewal of such a license, or whose operator's
640 license bearing an endorsement or the renewal of such a license is
641 withdrawn or revoked on account of a criminal record, shall be
642 entitled to a hearing if requested in writing within twenty days. The
643 hearing shall be conducted in accordance with the requirements of
644 chapter 54 and the applicant may appeal from the final decision
645 rendered therein in accordance with section 4-183.

646 ~~[(g)]~~ (h) Notwithstanding the provisions of section 14-10, as
647 amended by this act, the commissioner may furnish to any board of
648 education or to any public or private organization that is actively
649 engaged in providing public transportation, including the
650 transportation of school children, a report containing the names and
651 motor vehicle operator license numbers of each person who has been
652 issued an operator's license with one or more endorsements,
653 authorizing such person to transport passengers in accordance with
654 the provisions of section 14-36a, but whose license or any such
655 endorsement has been withdrawn, suspended or revoked by the
656 commissioner in accordance with the provisions of this section, or any
657 other provision of this title. The report shall be issued and updated
658 periodically in accordance with a schedule to be established by the
659 commissioner. Such report may be transmitted or otherwise made
660 available to authorized recipients by electronic means.

661 ~~[(h)]~~ (i) Violation of any provision of this section shall be an

662 infraction.

663 Sec. 24. Subsection (c) of section 14-36 of the general statutes is
664 repealed and the following is substituted in lieu thereof (*Effective*
665 *October 1, 2007*):

666 (c) (1) On or after January 1, 1997, a person who is sixteen or
667 seventeen years of age and who has not had a motor vehicle operator's
668 license or right to operate a motor vehicle in this state suspended or
669 revoked may apply to the Commissioner of Motor Vehicles for a
670 learner's permit. The commissioner may issue a learner's permit to an
671 applicant after the applicant has passed a vision screening and test as
672 to knowledge of the laws concerning motor vehicles and the rules of
673 the road, has paid the fee required by subsection (v) of section 14-49
674 and has filed a certificate, in such form as the commissioner prescribes,
675 requesting or consenting to the issuance of the learner's permit and the
676 motor vehicle operator's license, signed by (A) one or both parents or
677 foster parents of the applicant, as the commissioner requires, (B) the
678 legal guardian of the applicant, (C) the applicant's spouse, if the
679 spouse is eighteen years of age or older, or (D) if the applicant has no
680 qualified spouse and such applicant's parent or foster parent or legal
681 guardian is deceased, incapable, domiciled without the state or
682 otherwise unavailable or unable to sign or file the certificate, the
683 applicant's stepparent, or uncle or aunt by blood or marriage, provided
684 such person is eighteen years of age or older. The commissioner may,
685 for the more efficient administration of the commissioner's duties,
686 appoint any drivers' school licensed in accordance with the provisions
687 of section 14-69 or any secondary school providing instruction in
688 motor vehicle operation and highway safety in accordance with section
689 14-36e to issue a learner's permit, subject to such standards and
690 requirements as the commissioner may prescribe in regulations
691 adopted in accordance with chapter 54. Each learner's permit shall
692 expire on the date the holder of the permit is issued a motor vehicle
693 operator's license or on the date the holder attains the age of eighteen
694 years, whichever is earlier. (2) The learner's permit shall entitle the

695 holder, while such holder has the permit in his or her immediate
 696 possession, to operate a motor vehicle on the public highways,
 697 provided such holder is under the instruction of, and accompanied by,
 698 a person who holds an instructor's license issued under the provisions
 699 of section 14-73 or a person twenty years of age or older who has been
 700 licensed to operate, for at least four years preceding the instruction, a
 701 motor vehicle of the same class as the motor vehicle being operated
 702 and who has not had his or her motor vehicle operator's license
 703 suspended by the commissioner during the four-year period preceding
 704 the instruction. (3) For the period of three months after the date of
 705 issuance of such permit, the holder shall not transport more than (A)
 706 one passenger who meets the provisions of subdivision (2) of this
 707 subsection, or (B) such holder's parents or legal guardian, at least one
 708 of whom holds a motor vehicle operator's license. (4) For the period
 709 beginning three months after the date of issuance of such permit and
 710 ending six months after the date of issuance of such permit, such
 711 holder shall not transport any passenger other than as permitted under
 712 subdivision (2) or (3) of this subsection and any additional member or
 713 members of such holder's immediate family. (5) The holder of a
 714 learner's permit who (A) is an active member of a certified ambulance
 715 service, as defined in section 19a-175, (B) has commenced an
 716 emergency vehicle operator's course that conforms to the national
 717 standard curriculum developed by the United States Department of
 718 Transportation, and (C) has had state and national criminal history
 719 records checks conducted by the certified ambulance service or by the
 720 municipality in which such ambulance service is provided, shall be
 721 exempt from the provisions of [this subdivision] subdivisions (2), (3)
 722 and (4) of this subsection only when such holder is en route to or from
 723 the location of the ambulance for purposes of responding to an
 724 emergency call. [(3)] (6) The commissioner may revoke any learner's
 725 permit used in violation of the limitations imposed by [subdivision (2)]
 726 subdivision (2), (3) or (4) of this subsection.

727 Sec. 25. Subsection (a) of section 14-37a of the general statutes is
 728 repealed and the following is substituted in lieu thereof (*Effective*

729 October 1, 2007):

730 (a) Any person whose operator's license has been suspended
731 pursuant to any provision of this chapter or chapter 248, except
732 pursuant to section 14-215 for operating under suspension or pursuant
733 to section 14-140 for failure to appear for [trial] a scheduled court
734 appearance, or pursuant to section 53a-56b for a conviction of
735 manslaughter with a motor vehicle, may make application to the
736 Commissioner of Motor Vehicles for a special permit to operate a
737 motor vehicle to and from such person's place of employment or, if
738 such person is not employed at a fixed location, to operate a motor
739 vehicle only in connection with, and to the extent necessary, to
740 properly perform such person's business or profession.

741 Sec. 26. Section 14-141 of the general statutes is repealed and the
742 following is substituted in lieu thereof (*Effective October 1, 2007*):

743 A record shall be kept by each court of original jurisdiction of any
744 violation of the laws relating to the registration, equipment and
745 operation of motor vehicles, the licensing of operators or the
746 establishment, maintenance or conduct of a pump or station for the
747 sale of any product to be used in the propelling of motor vehicles using
748 combustion type engines, or to the sale of such product, and of any
749 violation of the provisions of sections 53a-55 to 53a-57, inclusive, when
750 such violation has been caused by the use of a motor vehicle, of any
751 violation of sections 53a-70 to 53a-80, inclusive, or of a violation of the
752 provisions of any other criminal statute in which the use of a motor
753 vehicle is a principal part, of all cases in which any person arrested for
754 such violation forfeits his bail or has his case nolle or judgment or
755 execution suspended, and of all cases in which the court ordered a
756 psychiatric examination under section 53-22; and a summary of such
757 record, with a statement of the number of the operator's license and the
758 registration number of the motor vehicle operated, shall, within five
759 days after such conviction, forfeiture or any other disposition or nolle,
760 be transmitted to the commissioner by such court. Each court shall

761 furnish to the commissioner the details of all such cases heard before it,
762 [and shall] Except as provided in subsection (h) of section 14-227a, as
763 amended by this act, each court shall make such recommendations as
764 to the suspension or revocation of the licenses of the parties defendant
765 as it deems advisable.

766 Sec. 27. Subdivision (5) of section 14-212 of the general statutes is
767 repealed and the following is substituted in lieu thereof (*Effective*
768 *October 1, 2007*):

769 (5) "Motor vehicle" includes all vehicles used on the public
770 highways, including vehicles that are not registered or are not eligible
771 for registration by the commissioner, pursuant to the provisions of
772 chapter 246.

773 Sec. 28. Section 14-227a of the general statutes is repealed and the
774 following is substituted in lieu thereof (*Effective October 1, 2007*):

775 No person shall operate a motor vehicle while under the influence
776 of intoxicating liquor or any drug or both. A person commits the
777 offense of operating a motor vehicle while under the influence of
778 intoxicating liquor or any drug or both if such person operates a motor
779 vehicle (1) while under the influence of intoxicating liquor or any drug
780 or both, or (2) while such person has an elevated blood alcohol content.
781 For the purposes of this section, "elevated blood alcohol content"
782 means (A) a ratio of alcohol in the blood of such person that is eight-
783 hundredths of one per cent or more of alcohol, by weight, or (B) if such
784 person is operating a commercial motor vehicle, as defined in section
785 14-1, as amended by this act, a ratio of alcohol in the blood of such
786 person that is four-hundredths of one per cent or more of alcohol, by
787 weight, and "motor vehicle" includes a snowmobile and all-terrain
788 vehicle, as those terms are defined in section 14-379.

789 (b) Except as provided in subsection (c) of this section, in any
790 criminal prosecution for violation of subsection (a) of this section,
791 evidence respecting the amount of alcohol or drug in the defendant's

792 blood or urine at the time of the alleged offense, as shown by a
793 chemical analysis of the defendant's breath, blood or urine shall be
794 admissible and competent provided: (1) The defendant was afforded a
795 reasonable opportunity to telephone an attorney prior to the
796 performance of the test and consented to the taking of the test upon
797 which such analysis is made; (2) a true copy of the report of the test
798 result was mailed to or personally delivered to the defendant [within
799 twenty-four hours or by the end of the next regular] not later than
800 three business [day] days, after such result was known, whichever is
801 later; (3) the test was performed by or at the direction of a police officer
802 according to methods and with equipment approved by the
803 Department of Public Safety and was performed in accordance with
804 the regulations adopted under subsection (d) of this section; (4) the
805 device used for such test was checked for accuracy in accordance with
806 the regulations adopted under subsection (d) of this section; (5) an
807 additional chemical test of the same type was performed [at least
808 thirty] not less than ten minutes after the initial test was performed or,
809 if requested by the police officer for reasonable cause, an additional
810 chemical test of a different type was performed to detect the presence
811 of a drug or drugs other than or in addition to alcohol, provided the
812 results of the initial test shall not be inadmissible under this subsection
813 if reasonable efforts were made to have such additional test performed
814 in accordance with the conditions set forth in this subsection and such
815 additional test was not performed or was not performed within a
816 reasonable time, or the results of such additional test are not
817 admissible for failure to meet a condition set forth in this subsection;
818 and (6) evidence is presented that the test was commenced within two
819 hours of operation. In any prosecution under this section it shall be a
820 rebuttable presumption that the results of such chemical analysis
821 establish the ratio of alcohol in the blood of the defendant at the time
822 of the alleged offense. [, except that if the results of the additional test
823 indicate that the ratio of alcohol in the blood of such defendant is
824 twelve-hundredths of one per cent or less of alcohol, by weight, and is
825 higher than the results of the first test, evidence shall be presented that

826 demonstrates that the test results and the analysis thereof accurately
827 indicate the blood alcohol content at the time of the alleged offense.] In
828 any prosecution under this section the court may admit the results of
829 the chemical analysis of the defendant's blood, breath or urine,
830 notwithstanding any failure or alleged failure to comply strictly with
831 the conditions set forth in subdivisions (3) to (6), inclusive, of this
832 subsection, if evidence is presented that such failure or alleged failure
833 does not materially affect the validity of such results.

834 (c) In any prosecution for a violation of subdivision (1) of subsection
835 (a) of this section, reliable evidence respecting the amount of alcohol in
836 the defendant's blood or urine at the time of the alleged offense, as
837 shown by a chemical analysis of the defendant's blood, breath or urine,
838 otherwise admissible under subsection (b) of this section, shall be
839 admissible only at the request of the defendant.

840 (d) The Commissioner of Public Safety shall ascertain the reliability
841 of each method and type of device offered for chemical testing and
842 analysis purposes of blood, of breath and of urine and certify those
843 methods and types which said commissioner finds suitable for use in
844 testing and analysis of blood, breath and urine, respectively, in this
845 state. The Commissioner of Public Safety shall adopt regulations, in
846 accordance with chapter 54, governing the conduct of chemical tests,
847 the operation and use of chemical test devices, the training and
848 certification of operators of such devices and the drawing or obtaining
849 of blood, breath or urine samples as said commissioner finds necessary
850 to protect the health and safety of persons who submit to chemical
851 tests and to insure reasonable accuracy in testing results. Such
852 regulations shall not require recertification of a police officer solely
853 because such officer terminates such officer's employment with the law
854 enforcement agency for which certification was originally issued and
855 commences employment with another such agency.

856 (e) In any criminal prosecution for a violation of subsection (a) of
857 this section, evidence that the defendant refused to submit to a blood,

858 breath or urine test requested in accordance with section 14-227b, as
859 amended by this act, shall be admissible provided the requirements of
860 subsection (b) of said section have been satisfied. If a case involving a
861 violation of subsection (a) of this section is tried to a jury, the court
862 shall instruct the jury as to any inference that may or may not be
863 drawn from the defendant's refusal to submit to a blood, breath or
864 urine test.

865 (f) If a person is charged with a violation of the provisions of
866 subsection (a) of this section, the charge may not be reduced, nolle or
867 dismissed unless the prosecuting authority states in open court such
868 prosecutor's reasons for the reduction, nolle or dismissal.

869 (g) Any person who violates any provision of subsection (a) of this
870 section shall: (1) For conviction of a first violation, (A) be fined not less
871 than five hundred dollars or more than one thousand dollars, and (B)
872 be (i) imprisoned not more than six months, forty-eight consecutive
873 hours of which may not be suspended or reduced in any manner, or
874 (ii) imprisoned not more than six months, with the execution of such
875 sentence of imprisonment suspended entirely and a period of
876 probation imposed requiring as a condition of such probation that
877 such person perform one hundred hours of community service, as
878 defined in section 14-227e, and (C) have such person's motor vehicle
879 operator's license or nonresident operating privilege suspended for
880 one year; (2) for conviction of a second violation within ten years after
881 a prior conviction for the same offense, (A) be fined not less than one
882 thousand dollars or more than four thousand dollars, (B) be
883 imprisoned not more than two years, one hundred twenty consecutive
884 days of which may not be suspended or reduced in any manner, and
885 sentenced to a period of probation requiring as a condition of such
886 probation that such person perform one hundred hours of community
887 service, as defined in section 14-227e, and (C) (i) have such person's
888 motor vehicle operator's license or nonresident operating privilege
889 suspended for three years or until the date of such person's twenty-
890 first birthday, whichever is longer, or (ii) if such person has been

891 convicted of a violation of subdivision (1) of subsection (a) of this
892 section on account of being under the influence of intoxicating liquor
893 or of subdivision (2) of subsection (a) of this section, have such
894 person's motor vehicle operator's license or nonresident operating
895 privilege suspended for one year and be prohibited for the two-year
896 period following completion of such period of suspension from
897 operating a motor vehicle unless such motor vehicle is equipped with
898 a functioning, approved ignition interlock device, as defined in section
899 14-227j; and (3) for conviction of a third and subsequent violation
900 within ten years after a prior conviction for the same offense, (A) be
901 fined not less than two thousand dollars or more than eight thousand
902 dollars, (B) be imprisoned not more than three years, one year of which
903 may not be suspended or reduced in any manner, and sentenced to a
904 period of probation requiring as a condition of such probation that
905 such person perform one hundred hours of community service, as
906 defined in section 14-227e, and (C) have such person's motor vehicle
907 operator's license or nonresident operating privilege permanently
908 revoked upon such third offense. For purposes of the imposition of
909 penalties for a second or third and subsequent offense pursuant to this
910 subsection, a conviction under the provisions of subsection (a) of this
911 section in effect on October 1, 1981, or as amended thereafter, a
912 conviction under the provisions of either subdivision (1) or (2) of
913 subsection (a) of this section, a conviction under the provisions of
914 section 53a-56b or 53a-60d or a conviction in any other state of any
915 offense the essential elements of which are determined by the court to
916 be substantially the same as subdivision (1) or (2) of subsection (a) of
917 this section or section 53a-56b or 53a-60d, shall constitute a prior
918 conviction for the same offense.

919 (h) (1) Each court shall report each conviction under subsection (a)
920 of this section to the Commissioner of Motor Vehicles, in accordance
921 with the provisions of section 14-141, as amended by this act. The
922 commissioner shall suspend the motor vehicle operator's license or
923 nonresident operating privilege of the person reported as convicted for
924 the period of time required by subsection (g) of this section. The

925 commissioner shall determine the period of time required by said
926 subsection (g) based on the number of convictions such person has had
927 within the specified time period according to such person's driving
928 history record, notwithstanding the sentence imposed by the court for
929 such conviction. The driving record history as maintained by the
930 commissioner shall include all convictions under this section that have
931 occurred within the preceding ten years, including convictions
932 resulting from the operation of a snowmobile or all-terrain vehicle in
933 violation of the provisions of this section. If any such person convicted
934 under this section has been sentenced to a period of incarceration, the
935 commissioner may commence the period of suspension after such
936 person has been released from incarceration. (2) The motor vehicle
937 operator's license or nonresident operating privilege of a person found
938 guilty under subsection (a) of this section who is under eighteen years
939 of age shall be suspended by the commissioner for the period of time
940 set forth in subsection (g) of this section, or until such person attains
941 the age of eighteen years, whichever period is longer. (3) The motor
942 vehicle operator's license or nonresident operating privilege of a
943 person found guilty under subsection (a) of this section who, at the
944 time of the offense, was operating a motor vehicle in accordance with a
945 special operator's permit issued pursuant to section 14-37a, as
946 amended by this act, shall be suspended by the commissioner for twice
947 the period of time set forth in subsection (g) of this section. (4) If an
948 appeal of any conviction under subsection (a) of this section is taken,
949 the suspension of the motor vehicle operator's license or nonresident
950 operating privilege by the commissioner, in accordance with this
951 subsection, shall be stayed during the pendency of such appeal.

952 (i) (1) The Commissioner of Motor Vehicles shall permit a person
953 whose license has been suspended in accordance with the provisions
954 of subparagraph (C)(ii) of subdivision (2) of subsection (g) of this
955 section to operate a motor vehicle if (A) such person has served not
956 less than one year of such suspension, and (B) such person has
957 installed an approved ignition interlock device in each motor vehicle
958 owned or to be operated by such person. No person whose license is

959 suspended by the commissioner for any other reason shall be eligible
960 to operate a motor vehicle equipped with an approved ignition
961 interlock device. (2) All costs of installing and maintaining an ignition
962 interlock device shall be borne by the person required to install such
963 device. (3) The commissioner shall adopt regulations, in accordance
964 with the provisions of chapter 54, to implement the provisions of this
965 subsection. The regulations shall establish procedures for the approval
966 of ignition interlock devices, for the proper calibration and
967 maintenance of such devices and for the installation of such devices by
968 any firm approved and authorized by the commissioner. (4) The
969 provisions of this subsection shall not be construed to authorize the
970 continued operation of a motor vehicle equipped with an ignition
971 interlock device by any person whose operator's license or nonresident
972 operating privilege is withdrawn, suspended or revoked for any other
973 reason. (5) The provisions of this subsection shall apply to any person
974 whose license has been suspended in accordance with the provisions
975 of subparagraph (C)(ii) of subdivision (2) of subsection (g) of this
976 section on or after September 1, 2003.

977 (j) In addition to any fine or sentence imposed pursuant to the
978 provisions of subsection (g) of this section, the court may order such
979 person to participate in an alcohol education and treatment program.

980 (k) Notwithstanding the provisions of subsection (b) of this section,
981 evidence respecting the amount of alcohol or drug in the blood or
982 urine of an operator of a motor vehicle involved in an accident who
983 has suffered or allegedly suffered physical injury in such accident,
984 which evidence is derived from a chemical analysis of a blood sample
985 taken from or a urine sample provided by such person after such
986 accident at the scene of the accident, while en route to a hospital or at a
987 hospital, shall be competent evidence to establish probable cause for
988 the arrest by warrant of such person for a violation of subsection (a) of
989 this section and shall be admissible and competent in any subsequent
990 prosecution thereof if: (1) The blood sample was taken or the urine
991 sample was provided for the diagnosis and treatment of such injury;

992 (2) if a blood sample was taken, the blood sample was taken in
993 accordance with the regulations adopted under subsection (d) of this
994 section; (3) a police officer has demonstrated to the satisfaction of a
995 judge of the Superior Court that such officer has reason to believe that
996 such person was operating a motor vehicle while under the influence
997 of intoxicating liquor or drug or both and that the chemical analysis of
998 such blood or urine sample constitutes evidence of the commission of
999 the offense of operating a motor vehicle while under the influence of
1000 intoxicating liquor or drug or both in violation of subsection (a) of this
1001 section; and (4) such judge has issued a search warrant in accordance
1002 with section 54-33a authorizing the seizure of the chemical analysis of
1003 such blood or urine sample. Such search warrant may also authorize
1004 the seizure of the medical records prepared by the hospital in
1005 connection with the diagnosis or treatment of such injury.

1006 (l) If the court sentences a person convicted of a violation of
1007 subsection (a) of this section to a period of probation, the court may
1008 require as a condition of such probation that such person participate in
1009 a victim impact panel program approved by the Court Support
1010 Services Division of the Judicial Department. Such victim impact panel
1011 program shall provide a nonconfrontational forum for the victims of
1012 alcohol-related or drug-related offenses and offenders to share
1013 experiences on the impact of alcohol-related or drug-related incidents
1014 in their lives. Such victim impact panel program shall be conducted by
1015 a nonprofit organization that advocates on behalf of victims of
1016 accidents caused by persons who operated a motor vehicle while
1017 under the influence of intoxicating liquor or any drug, or both. Such
1018 organization may assess a participation fee of not more than twenty-
1019 five dollars on any person required by the court to participate in such
1020 program.

1021 Sec. 29. Section 14-227b of the general statutes is repealed and the
1022 following is substituted in lieu thereof (*Effective October 1, 2007*):

1023 (a) Any person who operates a motor vehicle in this state shall be

1024 deemed to have given such person's consent to a chemical analysis of
1025 such person's blood, breath or urine and, if such person is a minor,
1026 such person's parent or parents or guardian shall also be deemed to
1027 have given their consent.

1028 (b) If any such person, having been placed under arrest for
1029 operating a motor vehicle while under the influence of intoxicating
1030 liquor or any drug or both, and thereafter, after being apprised of such
1031 person's constitutional rights, having been requested to submit to a
1032 blood, breath or urine test at the option of the police officer, having
1033 been afforded a reasonable opportunity to telephone an attorney prior
1034 to the performance of such test and having been informed that such
1035 person's license or nonresident operating privilege may be suspended
1036 in accordance with the provisions of this section if such person refuses
1037 to submit to such test or if such person submits to such test and the
1038 results of such test indicate that such person has an elevated blood
1039 alcohol content, and that evidence of any such refusal shall be
1040 admissible in accordance with subsection (e) of section 14-227a, as
1041 amended by this act, and may be used against such person in any
1042 criminal prosecution, refuses to submit to the designated test, the test
1043 shall not be given; provided, if the person refuses or is unable to
1044 submit to a blood test, the police officer shall designate the breath or
1045 urine test as the test to be taken. The police officer shall make a
1046 notation upon the records of the police department that such officer
1047 informed the person that such person's license or nonresident
1048 operating privilege may be suspended if such person refused to submit
1049 to such test or if such person submitted to such test and the results of
1050 such test indicated that such person had an elevated blood alcohol
1051 content.

1052 (c) If the person arrested refuses to submit to such test or analysis or
1053 submits to such test or analysis, commenced within two hours of the
1054 time of operation, and the results of such test or analysis indicate that
1055 such person has an elevated blood alcohol content, the police officer,
1056 acting on behalf of the Commissioner of Motor Vehicles, shall

1057 immediately revoke and take possession of the motor vehicle
1058 operator's license or, if such person is a nonresident, suspend the
1059 nonresident operating privilege of such person, for a twenty-four-hour
1060 period. The police officer shall prepare a [written] report of the
1061 incident and shall mail or transmit the report and a copy of the results
1062 of any chemical test or analysis to the Department of Motor Vehicles
1063 within three business days. The report shall [be made on a form
1064 approved by] contain such information as prescribed by the
1065 Commissioner of Motor Vehicles and shall be subscribed and sworn to
1066 under penalty of false statement as provided in section 53a-157b by the
1067 arresting officer. If the person arrested refused to submit to such test or
1068 analysis, the report shall be endorsed by a third person who witnessed
1069 such refusal. The report shall set forth the grounds for the officer's
1070 belief that there was probable cause to arrest such person for operating
1071 a motor vehicle while under the influence of intoxicating liquor or any
1072 drug or both and shall state that such person had refused to submit to
1073 such test or analysis when requested by such police officer to do so or
1074 that such person submitted to such test or analysis, commenced within
1075 two hours of the time of operation, and the results of such test or
1076 analysis indicated that such person had an elevated blood alcohol
1077 content. The commissioner may accept a report that is prepared and
1078 transmitted as an electronic record and that bears an electronic
1079 signature or signatures, subject to such requirements concerning
1080 security procedures as the commissioner may direct. As used in this
1081 subsection, the terms "electronic", "electronic record", "electronic
1082 signature", and "security procedure" have the meanings set forth in
1083 section 1-267.

1084 (d) If the person arrested submits to a blood or urine test at the
1085 request of the police officer, and the specimen requires laboratory
1086 analysis in order to obtain the test results, the police officer shall not
1087 take possession of the motor vehicle operator's license of such person
1088 or, except as provided in this subsection, follow the procedures
1089 subsequent to taking possession of the operator's license as set forth in
1090 subsection (c) of this section. If the test results indicate that such

1091 person has an elevated blood alcohol content, the police officer,
1092 immediately upon receipt of the test results, shall notify the
1093 Commissioner of Motor Vehicles and submit to the commissioner the
1094 [written] report required pursuant to subsection (c) of this section.

1095 (e) (1) Except as provided in subdivision (2) of this subsection, upon
1096 receipt of such report, the Commissioner of Motor Vehicles may
1097 suspend any license or nonresident operating privilege of such person
1098 effective as of a date certain, which date shall be not later than thirty
1099 days after the date such person received notice of such person's arrest
1100 by the police officer. Any person whose license or operating privilege
1101 has been suspended in accordance with this subdivision shall
1102 automatically be entitled to a hearing before the commissioner to be
1103 held prior to the effective date of the suspension. The commissioner
1104 shall send a suspension notice to such person informing such person
1105 that such person's operator's license or nonresident operating privilege
1106 is suspended as of a date certain and that such person is entitled to a
1107 hearing prior to the effective date of the suspension and may schedule
1108 such hearing by contacting the Department of Motor Vehicles not later
1109 than seven days after the date of mailing of such suspension notice.

1110 (2) If the person arrested (A) is involved in an accident resulting in a
1111 fatality, or (B) has previously had such person's operator's license or
1112 nonresident operating privilege suspended under the provisions of
1113 section 14-227a, as amended by this act, during the ten-year period
1114 preceding the present arrest, upon receipt of such report, the
1115 Commissioner of Motor Vehicles may suspend any license or
1116 nonresident operating privilege of such person effective as of the date
1117 specified in a notice of such suspension to such person. Any person
1118 whose license or operating privilege has been suspended in accordance
1119 with this subdivision shall automatically be entitled to a hearing before
1120 the commissioner. The commissioner shall send a suspension notice to
1121 such person informing such person that such person's operator's
1122 license or nonresident operating privilege is suspended as of the date
1123 specified in such suspension notice, and that such person is entitled to

1124 a hearing and may schedule such hearing by contacting the
1125 Department of Motor Vehicles not later than seven days after the date
1126 of mailing of such suspension notice. Any suspension issued under
1127 this subdivision shall remain in effect until such suspension is affirmed
1128 or such license or operating privilege is reinstated in accordance with
1129 subsections (f) and (h) of this section.

1130 (f) If such person does not contact the department to schedule a
1131 hearing, the commissioner shall affirm the suspension contained in the
1132 suspension notice for the appropriate period specified in subsection (i)
1133 or (j) of this section.

1134 (g) If such person contacts the department to schedule a hearing, the
1135 department shall assign a date, time and place for the hearing, which
1136 date shall be prior to the effective date of the suspension, except that,
1137 with respect to a person whose license or nonresident operating
1138 privilege is suspended in accordance with subdivision (2) of subsection
1139 (e) of this section, such hearing shall be scheduled not later than thirty
1140 days after such person contacts the department. At the request of such
1141 person or the hearing officer and upon a showing of good cause, the
1142 commissioner may grant one continuance for a period not to exceed
1143 fifteen days. The hearing shall be limited to a determination of the
1144 following issues: (1) [Did the police officer have probable cause to
1145 arrest the person for operating a motor vehicle while under the
1146 influence of intoxicating liquor or any drug or both; (2) was] Was such
1147 person placed under arrest; [(3)] (2) did such person refuse to submit
1148 to such test or analysis or did such person submit to such test or
1149 analysis, commenced within two hours of the time of operation, and
1150 the results of such test or analysis indicated that such person had an
1151 elevated blood alcohol content; and [(4)] (3) was such person operating
1152 the motor vehicle. In the hearing, the results of the test or analysis shall
1153 be sufficient to indicate the ratio of alcohol in the blood of such person
1154 at the time of operation, [except that if the results of the additional test
1155 indicate that the ratio of alcohol in the blood of such person is
1156 twelve-hundredths of one per cent or less of alcohol, by weight, and is

1157 higher than the results of the first test, evidence shall be presented that
1158 demonstrates that the test results and analysis thereof accurately
1159 indicate the blood alcohol content at the time of operation] provided
1160 that evidence is presented that the test or analysis was commenced not
1161 later than two hours after the time of operation. The fees of any
1162 witness summoned to appear at the hearing shall be the same as
1163 provided by the general statutes for witnesses in criminal cases.

1164 (h) If, after such hearing, the commissioner finds on any one of the
1165 said issues in the negative, the commissioner shall reinstate such
1166 license or operating privilege. If, after such hearing, the commissioner
1167 does not find on any one of the said issues in the negative or if such
1168 person fails to appear at such hearing, the commissioner shall affirm
1169 the suspension contained in the suspension notice for the appropriate
1170 period specified in subsection (i) or (j) of this section. The
1171 commissioner shall render a decision at the conclusion of such hearing
1172 or send a notice of the decision by bulk certified mail to such person
1173 not later than thirty days or, if a continuance is granted, not later than
1174 forty-five days from the date such person received notice of such
1175 person's arrest by the police officer. The notice of such decision sent by
1176 certified mail to the address of such person as shown by the records of
1177 the commissioner shall be sufficient notice to such person that such
1178 person's operator's license or nonresident operating privilege is
1179 reinstated or suspended, as the case may be. Unless a continuance of
1180 the hearing is granted pursuant to subsection (g) of this section, if the
1181 commissioner fails to render a decision within thirty days from the
1182 date such person received notice of such person's arrest by the police
1183 officer, the commissioner shall reinstate such person's operator's
1184 license or nonresident operating privilege, provided notwithstanding
1185 such reinstatement the commissioner may render a decision not later
1186 than two days thereafter suspending such operator's license or
1187 nonresident operating privilege.

1188 (i) Except as provided in subsection (j) of this section, the
1189 commissioner shall suspend the operator's license or nonresident

1190 operating privilege of a person who did not contact the department to
1191 schedule a hearing, who failed to appear at a hearing or against whom,
1192 after a hearing, the commissioner held pursuant to subsection (h) of
1193 this section, as of the effective date contained in the suspension notice
1194 or the date the commissioner renders a decision, whichever is later, for
1195 a period of: (1) (A) Except as provided in subparagraph (B) of this
1196 subdivision, ninety days, if such person submitted to a test or analysis
1197 and the results of such test or analysis indicated that such person had
1198 an elevated blood alcohol content, (B) one hundred twenty days, if
1199 such person submitted to a test or analysis and the results of such test
1200 or analysis indicated that the ratio of alcohol in the blood of such
1201 person was sixteen-hundredths of one per cent or more of alcohol, by
1202 weight, or (C) six months if such person refused to submit to such test
1203 or analysis, except that, if such person has previously been convicted
1204 of a violation of section 14-227a, as amended by this act, one year, (2) if
1205 such person has previously had such person's operator's license or
1206 nonresident operating privilege suspended under this section, (A)
1207 except as provided in subparagraph (B) of this subdivision, nine
1208 months if such person submitted to a test or analysis and the results of
1209 such test or analysis indicated that such person had an elevated blood
1210 alcohol content, (B) ten months if such person submitted to a test or
1211 analysis and the results of such test or analysis indicated that the ratio
1212 of alcohol in the blood of such person was sixteen-hundredths of one
1213 per cent or more of alcohol, by weight, and (C) one year if such person
1214 refused to submit to such test or analysis, except that, if such person
1215 has previously been convicted of a violation of section 14-227a, as
1216 amended by this act, two years, and (3) if such person has two or more
1217 times previously had such person's operator's license or nonresident
1218 operating privilege suspended under this section, (A) except as
1219 provided in subparagraph (B) of this subdivision, two years if such
1220 person submitted to a test or analysis and the results of such test or
1221 analysis indicated that such person had an elevated blood alcohol
1222 content, (B) two and one-half years if such person submitted to a test
1223 or analysis and the results of such test or analysis indicated that the

1224 ratio of alcohol in the blood of such person was sixteen-hundredths of
1225 one per cent or more of alcohol, by weight, and (C) three years if such
1226 person refused to submit to such test or analysis, except that, if such
1227 person has previously been convicted of a violation of section 14-227a,
1228 as amended by this act, six years.

1229 (j) The commissioner shall suspend the operator's license or
1230 nonresident operating privilege of a person under twenty-one years of
1231 age who did not contact the department to schedule a hearing, who
1232 failed to appear at a hearing or against whom, after a hearing, the
1233 commissioner held pursuant to subsection (h) of this section, as of the
1234 effective date contained in the suspension notice or the date the
1235 commissioner renders a decision, whichever is later, for twice the
1236 appropriate period of time specified in subsection (i) of this section.

1237 (k) Notwithstanding the provisions of subsections (b) to (j),
1238 inclusive, of this section, any police officer who obtains the results of a
1239 chemical analysis of a blood sample taken from an operator of a motor
1240 vehicle involved in an accident who suffered or allegedly suffered
1241 physical injury in such accident or who is otherwise deemed by a
1242 police officer to require hospital treatment or observation, shall notify
1243 the Commissioner of Motor Vehicles and submit to the commissioner a
1244 [written] report if such results indicate that such person had an
1245 elevated blood alcohol content, and if such person was arrested for
1246 violation of section 14-227a, as amended by this act, in connection with
1247 such accident or incident requiring hospital treatment or observation.
1248 The report shall be made on a form approved by the commissioner
1249 containing such information as the commissioner prescribes, and shall
1250 be subscribed and sworn to under penalty of false statement, as
1251 provided in section 53a-157b, by the police officer. The commissioner
1252 may, after notice and an opportunity for hearing, which shall be
1253 conducted in accordance with chapter 54, suspend the motor vehicle
1254 operator's license or nonresident operating privilege of such person for
1255 [a period of up to ninety days, or, if such person has previously had
1256 such person's operator's license or nonresident operating privilege

1257 suspended under this section for a period of up to one year] the
1258 appropriate period specified by subsection (i) or (j) of this section. Each
1259 hearing conducted under this subsection shall be limited to a
1260 determination of the following issues: (1) Whether [the police officer
1261 had probable cause to arrest the person for operating a motor vehicle
1262 while under the influence of intoxicating liquor or drug or both; (2)
1263 whether] such person was placed under arrest for a violation of section
1264 14-227a, as amended by this act; [(3)] (2) whether such person was
1265 operating the motor vehicle; [(4)] (3) whether the results of the analysis
1266 of the blood of such person indicate that such person had an elevated
1267 blood alcohol content; and [(5)] (4) whether the blood sample was
1268 obtained in accordance with conditions for admissibility and
1269 competence as evidence as set forth in subsection [(j)] (k) of section 14-
1270 227a, as amended by this act. If, after such hearing, the commissioner
1271 finds on any one of the said issues in the negative, the commissioner
1272 shall not impose a suspension. The fees of any witness summoned to
1273 appear at the hearing shall be the same as provided by the general
1274 statutes for witnesses in criminal cases, as provided in section 52-260.

1275 (l) The provisions of this section shall apply with the same effect to
1276 the refusal by any person to submit to an additional chemical test as
1277 provided in subdivision (5) of subsection (b) of section 14-227a, as
1278 amended by this act.

1279 (m) The provisions of this section shall not apply to any person
1280 whose physical condition is such that, according to competent medical
1281 advice, such test would be inadvisable.

1282 (n) The state shall pay the reasonable charges of any physician who,
1283 at the request of a municipal police department, takes a blood sample
1284 for purposes of a test under the provisions of this section.

1285 (o) For the purposes of this section, "elevated blood alcohol content"
1286 means (1) a ratio of alcohol in the blood of such person that is eight-
1287 hundredths of one per cent or more of alcohol, by weight, [or] (2) if
1288 such person is operating a commercial motor vehicle, a ratio of alcohol

1289 in the blood of such person that is four-hundredths of one per cent or
1290 more of alcohol, by weight, or (3) if such person is under twenty-one
1291 years of age, a ratio of alcohol in the blood of such person that is two-
1292 hundredths of one per cent or more of alcohol, by weight.

1293 (p) The Commissioner of Motor Vehicles shall adopt regulations, in
1294 accordance with chapter 54, to implement the provisions of this
1295 section.

1296 Sec. 30. Subsection (h) of section 14-36 of the general statutes is
1297 repealed and the following is substituted in lieu thereof (*Effective*
1298 *October 1, 2007*):

1299 (h) (1) Any person who violates any provision of this section shall,
1300 for a first offense, be deemed to have committed an infraction and be
1301 fined not less than seventy-five dollars or more than ninety dollars
1302 and, for any subsequent offense, shall be fined not less than two
1303 hundred fifty dollars or more than three hundred fifty dollars or be
1304 imprisoned not more than thirty days, or both.

1305 (2) In addition to the penalty prescribed under subdivision (1) of
1306 this subsection, any person who violates any provision of this section
1307 who (A) has, prior to the commission of the present violation,
1308 committed a violation of this section or subsection (a) of section 14-215,
1309 shall be fined not more than five hundred dollars or sentenced to
1310 perform not more than one hundred hours of community service, or
1311 (B) has, prior to the commission of the present violation, committed
1312 two or more violations of this section or subsection (a) of section 14-
1313 215, or any combination thereof, shall be sentenced to a term of
1314 imprisonment of [ninety days which may not be suspended or reduced
1315 in any manner] one year, ninety days of which may not be suspended
1316 or reduced in any manner.

1317 Sec. 31. Subsection (c) of section 14-215 of the general statutes is
1318 repealed and the following is substituted in lieu thereof (*Effective*
1319 *October 1, 2007*):

1320 (c) Any person who operates any motor vehicle during the period
 1321 such person's operator's license or right to operate a motor vehicle in
 1322 this state is under suspension or revocation on account of a violation of
 1323 subsection (a) of section 14-227a, as amended by this act, or section
 1324 53a-56b or 53a-60d or pursuant to section 14-227b, as amended by this
 1325 act, shall be fined not less than five hundred dollars or more than one
 1326 thousand dollars and imprisoned not more than one year, and, in the
 1327 absence of any mitigating circumstances as determined by the court,
 1328 thirty consecutive days of the sentence imposed may not be suspended
 1329 or reduced in any manner. For a violation that occurs while any person
 1330 is under suspension for a second violation of any of the offenses
 1331 specified in this section, such person shall be imprisoned for not more
 1332 than two years, and in the absence of any mitigating circumstances as
 1333 determined by the court, one hundred twenty consecutive days of the
 1334 sentence imposed may not be suspended or reduced in any manner.
 1335 For a violation that occurs while any person is under suspension for a
 1336 third or subsequent violation of any of the offenses specified in this
 1337 section, such person shall be imprisoned for not more than three years,
 1338 and in the absence of any mitigating circumstances as determined by
 1339 the court, one year of the sentence imposed may not be suspended or
 1340 reduced in any manner. The court shall specifically state in writing for
 1341 the record the mitigating circumstances, or the absence thereof.

1342 Sec. 32. (NEW) (*Effective from passage*) The Commissioner of Motor
 1343 Vehicles, at the request of any immediate family member, shall issue a
 1344 special certificate of registration and a set of number plates
 1345 memorializing Connecticut service members who were killed in the
 1346 line of duty. Said registration and number plates shall be available for
 1347 any motor vehicle owned or leased for a period of at least one year.
 1348 Said number plates shall expire and be renewed as provided in section
 1349 14-22 of the general statutes. The commissioner shall charge a fee for
 1350 such plates which shall cover the entire cost of making the same and
 1351 which shall be in addition to the fee for registration of such motor
 1352 vehicle. Such plates shall bear the words "Gold Star Family", and the
 1353 design of such plates shall be approved by a committee established by

1354 the commissioner. For purposes of this section, "immediate family
1355 member" includes a spouse, mother, father, brother, sister, child,
1356 grandmother or grandfather.

1357 Sec. 33. Subsection (b) of section 14-80i of the general statutes is
1358 repealed and the following is substituted in lieu thereof (*Effective July*
1359 *1, 2007*):

1360 (b) No person shall operate a motorcycle on a highway or in any
1361 parking area for ten or more motor vehicles if the motorcycle is
1362 equipped with handlebars that are more than the height of the
1363 operator's shoulders. [fifteen inches in height above the uppermost
1364 portion of the seat when the seat is depressed by the weight of the
1365 operator.]

1366 Sec. 34. Subsection (c) of section 14-300 of the general statutes is
1367 repealed and the following is substituted in lieu thereof (*Effective July*
1368 *1, 2007*):

1369 (c) Except as provided in subsection (c) of section 14-300c, at any
1370 crosswalk marked as provided in subsection (a) of this section or any
1371 unmarked crosswalk, provided such crosswalks are not controlled by
1372 police officers or traffic control signals, each operator of a vehicle shall
1373 grant the right-of-way, and slow or stop such vehicle if necessary to so
1374 grant the right-of-way, to any pedestrian crossing the roadway within
1375 such crosswalk, provided such pedestrian steps to the curb at the
1376 entrance to a crosswalk or is within that half of the roadway upon
1377 which such operator of a vehicle is traveling or such pedestrian steps
1378 to the curb at the entrance to a crosswalk or is crossing the roadway
1379 within such crosswalk from that half of the roadway upon which such
1380 operator is not traveling. No operator of a vehicle approaching from
1381 the rear shall overtake and pass any vehicle the operator of which has
1382 stopped at any crosswalk marked as provided in subsection (a) of this
1383 section or any unmarked crosswalk to permit a pedestrian to cross the
1384 roadway. The operator of any vehicle crossing a sidewalk shall yield
1385 the right-of-way to each pedestrian and all other traffic upon such

1386 sidewalk. [A violation of this subsection shall be an infraction] The
 1387 operator of any motor vehicle who violates this section shall be
 1388 deemed to have committed an infraction and shall be fined not less
 1389 than ninety dollars.

1390 Sec. 35. (*Effective from passage*) The Department of Motor Vehicles
 1391 shall conduct a study on issues relating to the use by operators of
 1392 motor vehicles of certain electronic equipment installed in motor
 1393 vehicles, including word processors, computer video monitors, devices
 1394 that enable access to the Internet, and other electronic equipment of a
 1395 similar nature that is unrelated to the operation of motor vehicles. The
 1396 study shall include, but not be limited to, (1) the extent to which such
 1397 electronic equipment is being offered as original equipment by
 1398 manufacturers and importers of new motor vehicles that are sold in
 1399 this state, (2) federal statutes and regulations that govern the
 1400 manufacture of motor vehicles sold in the United States that refer to
 1401 the installation of such equipment, (3) the extent to which such
 1402 equipment is being offered and sold for aftermarket installation in
 1403 used motor vehicles, (4) recent studies and other published materials
 1404 concerning the use of such equipment by operators and its effect on the
 1405 safe highway operation of motor vehicles, and (5) laws of any state, the
 1406 District of Columbia, or any state or province of any country that
 1407 govern any aspect of the original or aftermarket installation or the use
 1408 by operators of such equipment. Not later than February 1, 2008, the
 1409 commissioner shall submit a report of the study, including findings
 1410 and recommendations, to the joint standing committee of the General
 1411 Assembly having cognizance of matters relating to transportation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	14-1(a)(13)
Sec. 2	<i>from passage</i>	14-1(a)(24)
Sec. 3	<i>from passage</i>	14-1(a)(50)
Sec. 4	<i>from passage</i>	14-44(c)
Sec. 5	<i>from passage</i>	14-65i(a)

Sec. 6	<i>from passage</i>	14-289j(f)
Sec. 7	<i>October 1, 2007</i>	14-10(e)
Sec. 8	<i>October 1, 2007</i>	14-36g(a)
Sec. 9	<i>October 1, 2007</i>	14-289a
Sec. 10	<i>October 1, 2007</i>	14-44e(b)
Sec. 11	<i>October 1, 2007</i>	14-50(b)
Sec. 12	<i>October 1, 2007</i>	14-103a
Sec. 13	<i>October 1, 2007</i>	14-163d
Sec. 14	<i>October 1, 2007</i>	14-261a
Sec. 15	<i>October 1, 2007</i>	New section
Sec. 16	<i>October 1, 2007</i>	15-148
Sec. 17	<i>October 1, 2007</i>	14-12h
Sec. 18	<i>October 1, 2007</i>	14-44i
Sec. 19	<i>October 1, 2007</i>	22a-201
Sec. 20	<i>October 1, 2007</i>	New section
Sec. 21	<i>October 1, 2007</i>	New section
Sec. 22	<i>October 1, 2007</i>	14-36d
Sec. 23	<i>July 1, 2007</i>	14-44
Sec. 24	<i>October 1, 2007</i>	14-36(c)
Sec. 25	<i>October 1, 2007</i>	14-37a(a)
Sec. 26	<i>October 1, 2007</i>	14-141
Sec. 27	<i>October 1, 2007</i>	14-212(5)
Sec. 28	<i>October 1, 2007</i>	14-227a
Sec. 29	<i>October 1, 2007</i>	14-227b
Sec. 30	<i>October 1, 2007</i>	14-36(h)
Sec. 31	<i>October 1, 2007</i>	14-215(c)
Sec. 32	<i>from passage</i>	New section
Sec. 33	<i>July 1, 2007</i>	14-80i(b)
Sec. 34	<i>July 1, 2007</i>	14-300(c)
Sec. 35	<i>from passage</i>	New section

Statement of Purpose:

To amend various statutes concerning the Department of Motor Vehicles.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]